

2009 DRAFTING REQUEST

Bill

Received: 05/01/2009

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Thomas Lothian (608) 266-1190

By/Representing:

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Beverages

Extra Copies:

Submit via email: YES

Requester's email: Rep.Lothian@legis.wisconsin.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Exceptions to prohibition on consumption in public place without a retail license or permit

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	agary 05/13/2009	jdyer 05/14/2009	rschluet 05/14/2009	_____	sbasford 05/14/2009		
/1	agary 05/18/2009	jdyer 05/18/2009	phenry 05/18/2009	_____	lparisi 05/18/2009	cduerst 06/16/2009	

FE Sent For:

<END>

26

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/?	agary	PI 5/14 jld		==			
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FE Sent For:

<END>



Gary, Aaron

From: Gary, Aaron
Sent: Friday, May 01, 2009 4:07 PM
To: August, Tyler
Subject: RE: Drafting request

Hi Tyler,

I have entered this request as LRB-2826. Is the intent of this bill to allow private colleges and universities to serve alcohol at functions the way the UW schools can?

Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: August, Tyler
Sent: Thursday, April 30, 2009 1:08 PM
To: LRB.Legal
Subject: Drafting request

Representative Lothian would like to draft legislation extending the exclusions provided under 125.09PUBLIC PLACE.

The extension of the inclusion he would like to include would be to college or university sponsored events taking place on the college or university's property.

Please feel free to contact me with any questions,

5/4

Tyler

Tyler

6-1190

Sincerely,

Tyler August
Legislative Aide
State Representative Tom Lothian
32nd Assembly District
608-266-1190
tyler.august@legis.state.wi.us

- college campus in the district —
Music by the lake program
- sell tickets
- beer license for other events
- carry-in → don't sell anything
- private college
- George Williams College



State of Wisconsin
2009 - 2010 LEGISLATURE

500

LRB-2826/P1

ARG:.....

in 5/13

jd

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-Note

✓

Gen

1

AN ACT ...; relating to: the consumption of alcohol beverages in public places. ✓

Analysis by the Legislative Reference Bureau

Under current law, an owner, lessee, or person in charge of a public place may not permit the consumption of alcohol beverages on the premises of the public place unless the person has an appropriate retail license or permit. ✓ Certain exceptions exist, including for county buildings and parks, athletic fields and stadiums, school buildings, churches, state fair parks, and clubs. ✓

This bill creates an additional exception for the campuses of private colleges at the place and time an event sponsored by the private college is being held. ✓

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2

SECTION 1. 125.09 (1) ✓ of the statutes is amended to read:

3

125.09 (1) PUBLIC PLACE. No owner, lessee, or person in charge of a public place

4

may permit the consumption of alcohol beverages on the premises of the public place,

5

unless the person has an appropriate retail license or permit. This subsection does

6

not apply to municipalities, buildings and parks owned by counties, regularly

7

established athletic fields and stadiums, campuses of private

- 1 colleges, as defined in s. 16.99 (3g)[✓], at the place and time an event sponsored by the
2 private college is being held, churches, premises in a state fair park or clubs.

3 History: 1981 c. 79, 158; 1983 a. 74; 1985 a. 218; 1995 a. 77.

(END)

Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

date

LRB-2826/P1dn

ARG.:...

jld

ATTN: Tyler August

Please review the attached draft carefully to ensure that it is consistent with your intent.✓

Based upon our conversation, it is my understanding that this bill is intended to allow carry-in alcohol at an event on a private college campus✓ and that the private college does not have a retail license for the event. If my understanding is incorrect and the private college does hold a retail license, different statutory provisions will need to be treated.

Please review the definition of "private college" cross-referenced✓ in the attached draft to ensure that it meets your needs. I note that it covers a private college or university.

The attached draft is limited to private colleges. It is unnecessary to incorporate✓ UW campuses into the draft because such campuses are state property and s. 125.09 does not apply to state property;✓ the state already has authority to decide whether or not to allow alcohol consumption on UW campuses.

Please let me know if you would like any changes made to the attached draft or if you have any questions.✓ If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft.✓

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2826/P1dn
ARG:jld:rs

May 14, 2009

ATTN: Tyler August

Please review the attached draft carefully to ensure that it is consistent with your intent.

Based upon our conversation, it is my understanding that this bill is intended to allow carry-in alcohol at an event on a private college campus and that the private college does not have a retail license for the event. If my understanding is incorrect and the private college does hold a retail license, different statutory provisions will need to be treated.

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E-mail: aaron.gary@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-2826/01

ARG:jld:rs

5/18 the w/ Tyler - want 11 - change
~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

No changes

Regen

- 1 AN ACT *to amend* 125.09 (1) of the statutes; **relating to:** the consumption of
2 alcohol beverages in public places. ✓

Analysis by the Legislative Reference Bureau

Under current law, an owner, lessee, or person in charge of a public place may not permit the consumption of alcohol beverages on the premises of the public place unless the person has an appropriate retail license or permit. Certain exceptions exist, including for county buildings and parks, athletic fields and stadiums, school buildings, churches, state fair parks, and clubs.

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The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 SECTION 1. 125.09 (1) of the statutes is amended to read:
4 125.09 (1) PUBLIC PLACE. No owner, lessee, or person in charge of a public place
5 may permit the consumption of alcohol beverages on the premises of the public place,
6 unless the person has an appropriate retail license or permit. This subsection does
7 not apply to municipalities, buildings and parks owned by counties, regularly

1 established athletic fields and stadiums, school buildings, campuses of private
2 colleges, as defined in s. 16.99 (3g), at the place and time an event sponsored by the
3 private college is being held, churches, premises in a state fair park or clubs.

4 (END)

Basford, Sarah

From: August, Tyler
Sent: Tuesday, June 16, 2009 8:52 AM
To: LRB.Legal
Subject: Draft Review: LRB 09-2826/1 Topic: Exceptions to prohibition on consumption in public place without a retail license or permit

Please Jacket LRB 09-2826/1 for the ASSEMBLY.